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August 22, 2011

VIA ECF

Hon. Sandra L. Townes
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ AUG 24 2011 ★

BROOKLYN OFFICE

Re: *Ravenell, et al. v. Avis Budget Car Rental LLC, et al.*
08-cv-2113 (SLT)(ALC)

Dear Judge Townes:

We represent the Plaintiffs in this action brought under the Fair Labor Standards Act ("FLSA") and the New York Labor Law ("NYLL") and are submitting this letter pursuant to the Court's August 10, 2011 Order ("August 10th Order", Dkt. No. 332). Although as of today's date, we represent opt-in Sheila Horn, on August 8, 2011, we filed a motion to withdraw as her counsel due to a breakdown in the attorney client relationship (Dkt. No. 329). Specifically, in our motion, we describe our numerous attempts to contact Ms. Horn about her discovery obligations as an opt-in, but that she has been completely non-responsive. Due to this breakdown in communications, we have had no choice but to move to withdraw as Ms. Horn's counsel.

As relevant background, on July 21, 2011, Defendants wrote to the Court to request a pre-motion conference for permission to file a motion to dismiss Ms. Horn's claims as a result of her failure to appear for deposition. (Dkt. No. 324). It was in response to receiving this motion, that we filed our motion to withdraw.

Immediately upon receipt of the August 10th Order, we sent to Ms. Horn, via FEDEX, a copy of the Order, with an explanatory letter, at the address we have on file for her. Unfortunately this letter was returned after numerous delivery attempts failed. We also sent the August 10th Order Ms. Horn via email, but did not receive a response. We also left telephone messages for Ms. Horn, but these too, went unanswered. Thus, Ms. Horn has remained non-responsive despite our diligent efforts to contact her.

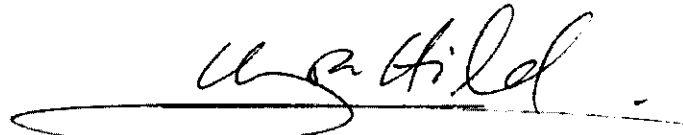
Accordingly, and due to the foregoing, we respectfully request that the Court rule on our motion to withdraw as Ms. Horn's Counsel before addressing the Defendants' motion to dismiss in order to afford Ms. Horn the opportunity to (1) obtain new counsel, if she so desires; or (2) oppose the Defendants' motion to dismiss her claims, on a pro se basis.

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We hope that the foregoing responds to the August 10th Order. Should the Court wish it, we would be happy to provide any additional information.

Respectfully Submitted,



Kyra N. Hild

cc: Counsel of record (via ECF)

Order: The Court grants Plaintiff Sheile Horn's counsel's motion to withdraw representation of Ms. Horn. [Docket No. 329] Ms. Horn's claims are dismissed as to her for failure to prosecute. [Docket No. 324.]

✓ s/ SLT U.S.D.C. 8/24/11

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